

STATE OF TEXAS

COUNTIES OF POTTER AND RANDALL

ON the 20th day of June, 2012, the Amarillo Traffic Commission met at 1:30 p.m. in regular session in the City Commission Chambers on the third floor of City Hall at 509 S.E. 7th Avenue.

ATTENDANCE

<i>Members</i>	<i>Present Today</i>	<i>No. Meetings & Public Hearings Held Since Appointment</i>	<i>No. Meetings & Public Hearings Attended Since Appointment</i>	<i>No. Work Sessions Held Since Appointment</i>	<i>No. Work Sessions Attended Since Appointment</i>
<i>Kenneth Graham</i>	Yes	23	21	5	3
<i>Leon Church</i>	Yes	13	10	5	4
<i>D.J. Stubben</i>	Yes	13	13	5	5
Dean Downey	Yes	9	9	5	5
Charlie Graham	No	9	3	5	5
Craig Gualtiere	Yes	9	9	5	2
Tiller Watson III	Yes	9	7	5	4
Mark Nair	Yes	5	5	5	3
Frank Nelson	Yes	1	1	1	1

STAFF MEMBERS PRESENT:

Jerry Bird	Traffic Engineer
David Szmagalski	Traffic Operation Technician
Judy Alexander	Recording Secretary
Lt. Michael Miller	Amarillo Police Department
Michael Rice	Director of Public Works

The invocation was given by Commissioner Watson, and Commissioner Nelson led the Pledge of Allegiance.

Commissioner Stubben established a quorum and called the meeting to order at 1:30 p.m. The following items of business were conducted:

1. **APPROVAL OF THE MAY 16, 2012, AMARILLO TRAFFIC COMMISSION MINUTES.**
Commissioner Kenneth Graham made a motion to approve the minutes for of the May 16, 2012 meeting. Commissioner Nair requested clarification of

Commissioner Downey's vote at that meeting on a citywide handheld cell phone restriction. Commissioner Downey said he voted against a citywide handheld cell phone ban. Commissioner Nair seconded the motion to approve the minutes, and motion carried unanimously.

2. **DISCUSS AND CONSIDER POTENTIAL RECOMMENDATIONS REGARDING CELL PHONE/TEXTING WHILE DRIVING RESTRICTIONS.**

Commission Stubben introduced Dale Davis, Police Chief for the City of Canyon, to speak on their cell phone restriction, which was recently passed by their City Commission. He said their ordinance is a scaled down version based on one from the City of Arlington. Their ordinance, which goes into effect on August 1, 2012, is a ban on texting and other applications such as internet, e-mail, or mapping use. It does allow talking on a handheld cell phone. He stated that although a full handheld cell phone ban would be easier to enforce, he felt the texting ban would gain voluntary compliance and provide for a safer community. He said they recently received approval from Texas Department of Transportation on their sign that will be posted at all entrances to Canyon. They plan on allowing a thirty-day grace period. Violations after the grace period will be considered a Class C misdemeanor. He reported that police, fire, and public utility service employees would be exempt from the ban.

Commissioner Gualtiere questioned Chief Davis why the outcome for cell phone use is not the same as for driving under the influence since research indicates the dangers are similar. Chief Davis stated the difference is that state law mandates the outcome for driving under the influence. He said the City of Canyon turns their applicable cases over to the District Attorney/Grand Jury for investigation. He said violators can be charged with reckless driving or involuntary manslaughter.

Commissioner Ken Graham inquired about the City of Canyon's plan for an educational program. Chief Davis stated plans are to utilize public service announcements on television and radio, Nixel, and I-Info. Posters concerning the ban will be distributed to West Texas A&M University, high schools, retail stores, hotels, supermarkets, and convenience stores. He said a notification letter would be included in city water bills.

Commissioner Nair questioned Chief Davis why talking on cell phone was not included in their ban. Chief Davis said handheld cell phone use was not included because of the direct impact it would have the livelihood of their citizens. He said they believed that texting is more dangerous than talking, and he is convinced their ban will have a positive impact on all cell phone use.

Commissioner Stubben asked Jerry Bird, Traffic Engineer, to come forward for clarification of the City of Amarillo's school zone cell phone ban that went into effect August 2011. Mr. Bird stated that the ban is actually a handheld cell phone ban; it does not include hands-free wireless devices.

Commissioner Nair stated the Amarillo Traffic Commission's Report on Cell Phone Use While Driving includes a recommendation for the City Commission to extend the school zone handheld cell phone ban citywide and institute an educational program on the dangers of cell phone use while driving. The recommendation was voted on and carried 6-2 at the May 16th Traffic Commission meeting. He said the report includes an overview of the studies, a review of the arguments, comments from Traffic Commissioners and the public, both assenting and dissenting, a Literature Review Subcommittee Report, minutes from Traffic Commission Meetings and Public Hearings, and a full text of the research and studies. He made a motion to submit the report to

the City Commission. Commissioner Gualtiere seconded the motion, and motion carried unanimously.

Michael Rice, Director of Public Works, stated that city staff recommends a cover page with the signatures of the Traffic Commissioners be included with the report.

Commissioner Stubben asked if anyone in the audience would like to come forward to speak. Sunny Hodge-Campbell, 3203 Milam St., came forward and stated that she had distributed an online petition in support of the citywide handheld cell phone ban. She gave Commissioner Stubben a copy of the signatures on the petition. At last count, she said it contained 550 signatures. She said she supported the ban because her research indicated that fatalities declined 47% after the ban in California.

Robert Goodrich, 6510 Sandie Dr., came forward and said he typically opposed any law that limited the expression of his will. He stated that he had a change of opinion recently when he inadvertently ran a stop sign while talking on a cell phone. He said that experience made him realize that cell phones use can cost lives, and he is now supportive of the ban.

There being no further business, the meeting was adjourned at 2:29 p.m.

Jerry Bird, Traffic Engineer